UNITED STATES INTERNATIONAL TRADE COMMISSION Washington, DC 20436

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In the Matter of)	Investigation No.
)	731-TA-925 (Final)
GREENHOUSE TOMATOES)	
FROM CANADA)	
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NOTICE OF COMMISSION DETERMINATION TO CONDUCT A PORTION OF THE HEARING IN CAMERA

AGENCY: U.S. International Trade Commission.

ACTION: Closure of a portion of a Commission hearing to the public.

SUMMARY: Upon request of Eurofresh LLC; Village Farms, LLC; Sunblest Management LLC; Sunblest Farms LLC; and Hydroage (collectively "Petitioners"), the Commission has determined to conduct a portion of its hearing in the above-captioned investigation scheduled for February 21, 2002, *in camera. See* Commission rules 207.24(d), 201.13(m) and 201.36(b)(4) (19 C.F.R. §§ 207.24(d), 201.13(m) and 201.36(b)(4)). The remainder of the hearing will be open to the public. The Commission has determined that seven-day advance notice of the change to a meeting was not possible. *See* Commission rule 201.35(a), (c)(1) (19 C.F.R. § 201.35(a), (c)(1)).

FOR FURTHER INFORMATION CONTACT: Michael Diehl, Office of General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3095, e-mail mdiehl@usitc.gov. Hearing-impaired individuals are advised that information on this matter may be obtained by contacting the Commission's TDD terminal on 202-205-1810.

SUPPLEMENTARY INFORMATION: The Commission believes that Petitioners have justified the need for a closed session. Petitioners seek a closed session to allow testimony concerning the reliability of pricing data on the record and the concerning financial data of the Petitioners. Because such discussions will necessitate disclosure of business proprietary information (BPI), they can only occur if a portion of the hearing is held *in camera*. In making this decision, the Commission nevertheless reaffirms its belief that whenever possible its business should be conducted in public.

The hearing will include the usual public presentations by Petitioners and by respondents, with questions from the Commission. In addition, the hearing will include an *in camera* session for a confidential presentation by Petitioners and a rebuttal presentation by respondents. Questions from the Commission relating to the BPI will follow each of the *in camera* presentations. During the *in camera* session the room will be cleared of all persons except those who have been granted access to BPI under

a Commission administrative protective order (APO) and are included on the Commission's APO service list in this investigations. *See* 19 C.F.R. § 201.35(b)(1), (2). The time for the parties' presentations and rebuttals in the *in camera* session will be taken from their respective overall allotments for the hearing. All persons planning to attend the *in camera* portions of the hearing should be prepared to present proper identification.

AUTHORITY: On behalf of the General Counsel, the Deputy General Counsel has certified, pursuant to Commission Rule 201.39 (19 C.F.R. § 201.39) that, in his opinion, a portion of the Commission's hearing in *Greenhouse Tomatoes from Canada*, Inv. No. 731-TA-925 (Final) may be closed to the public to prevent the disclosure of BPI.

By order of the Commission.

Marilyn R. Abbott Acting Secretary

Issued: February 19, 2002